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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 CALVIN ROUSE (AKA) ABDURRASHID
9 KAHLIF,

10 Plaintiff,

11 v.

12 THE WASHINGTON STATE
13 DEPARTMENT OF CORRECTIONS *et al.*,

14 Defendants
15

Case No. C08-5620FDB/JKA

ORDER DENYING PLAINTIFF'S
MOTION TO DIRECT
DEFENDANTS TO FILE AN
ANSWER

16 This action, brought pursuant to 42 U.S.C. 1983, has been referred to the undersigned
17 Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is a motion asking the
18 court to instruct defendants to file an answer (Dkt. # 16). Defendants have responded and set forth
19 the date defendant Van Boening was served. An answer would not be due until February 9, 2009
20 (Dkt. # 19). Further, on February 6, 2009, defendants filed a motion to dismiss (Dkt # 21). No
21 answer is due until ten days after a court ruling on the motion to dismiss. Plaintiff's motion is
22 **DENIED.**

23 The Clerk is directed to send a copy of this Order to plaintiff and counsel for the defendants
24 and to remove Dkt. # 16 from the courts' calendar.

25 DATED this 17 day of February, 2009.

26 /S/ J. Kelley Arnold
27 J. Kelley Arnold
United States Magistrate Judge